



The subdivision process is the division of a tract of land into building lots, streets, and open space.

In this process, The Montgomery County Planning Board must determine whether a proposed subdivision satisfies the recommendations of the area Master Plan, requirements of the Zoning Ordinance, Subdivision Regulations, Annual Growth Policy, the Adequate Public Facilities Ordinance, and the Forest Conservation Regulations. Prior to Planning Board approval, the Montgomery County Department of Permitting Services must approve a stormwater management concept plan for the proposed development.

During this process the public is able to evaluate the effects of a proposed subdivision on their neighborhood. This brochure has two objectives:

- ❑ to promote better understanding of the subdivision process
- ❑ to explain how the public can participate effectively in the process

OVERVIEW OF THE PROCESS

INITIAL FILING

The process begins when an applicant files either a

Pre-Preliminary Subdivision Plan or a Preliminary Subdivision Plan for review and approval.

THE PRE-PRELIMINARY PLAN PROCESS

- ❑ submitted at the option of the applicant
- ❑ is filed to get advice from staff and sometimes the Planning Board
- ❑ a public hearing is necessary if plan is to be considered by the Planning Board
- ❑ after consideration by the Planning Board, the preliminary plan is the next step.

THE PRELIMINARY PLAN PROCESS

- ❑ a Planning Board public hearing is required
- ❑ the Planning Board may approve, approve with conditions, or deny the application
- ❑ Planning Board approval is needed before a Record Plat can be filed and a building permit issued

PUBLIC NOTICE

An applicant is required to send a written notice about the requested subdivision and a copy of the plan to adjacent and confronting property owners.

The Development Review Division of the Department of Park and Planning sends a written notice and a copy of the proposed plan to appropriate citizens associations and homeowners associations that are listed with the Planning Board.

In the case of a Cluster Subdivision, which allows more flexible development standards such as smaller lots, the applicant must additionally post a sign on the property.

PHASES OF THE SUBDIVISION PROCESS

The process is composed of two basic phases:

- ❑ Staff Evaluation and Analysis
- ❑ Planning Board’s Public Hearing

A resident, neighborhood, or citizens association can effectively participate in the subdivision process by becoming actively involved in each of the two phases.

STAFF EVALUATION

A staff member of the Development Review Division of the Department of Park and Planning is assigned to analyze, evaluate, and coordinate the review of the proposed Subdivision Plan.

The staff member receives input from the Department’s environmental and transportation staffs, and the Development Review Committee (DRC). The DRC is an interagency task force composed of representatives from public agencies and utilities such as WSSC, PEPCO, the State Highway Administration, and the County Departments of Permitting Services, Environmental Protection, and Public Works and Transportation. The DRC meets in regularly scheduled sessions that are open to the public but are not public hearings.

Upon request, staff will meet with community representatives to discuss relevant issues. To schedule a meeting, please contact the Development Review Division at 301-495-4595.

The assigned staff member prepares recommendations that are presented to the Planning Board as part of the public hearing on the proposed Subdivision Plan.

PUBLIC HEARING

Notice of the public hearing is mailed by staff of the Development Review Division to all persons and associations who received the original notice, as well as other parties who have expressed an interest. The Planning Board’s public hearing includes the staff presentation, the Applicant’s case, and testimony from



affected property owners and citizens associations.

No person involved in the subdivision process may discuss any issue about a proposed subdivision off the public record with a member of the Planning Board.

EFFECTIVE PARTICIPATION

COMMUNITY COORDINATION

You should contact your neighbors and your area citizens association. Discussion of mutual problems, concerns, and issues involved with a proposed subdivision is a basic first step. Informal community meetings are a good way to reach agreement, assign tasks, and coordinate a response to a subdivision proposal.

Meeting with applicant is encouraged to discuss the proposed subdivision to provide basic information and to clarify issues.

STAFF ASSISTANCE

You may call the Development Review Division’s Information Office at 301-495-4610 to learn how the subdivision process works, the timing of staff evaluation, and proposed date of the Planning Board’s public hearing.

For a more detailed discussion of issues related to the proposed subdivision, you can contact the staff member assigned to review the case at 301-495-4595. When calling please refer to the application number.

RESPONSES TO A PROPOSED PLAN

Normally, an applicant for subdivision approval will respond to staff evaluation or issues raised by the Development Review Committee by submitting a revised subdivision plan.

If the staff reviewer decides that the proposed revisions are significant, the applicant is required to send copies of the revised plan to the same adjacent and confronting property owners and citizen associations that received the original plan.



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RESPONSES TO A PROPOSED PLAN

Normally, an applicant for subdivision approval will respond to staff's evaluation or issues raised by the Development Review Committee by submitting a revised subdivision plan.

If the staff reviewer decides that the proposed revisions are significant, the applicant may be directed to send copies of the revised plan to the same adjacent and confronting property owners and citizen associations that received copies of the original plan.

Interested persons should contact the Information Office at 301-495-4610 to periodically check on the status of the staff evaluation and on whether an applicant has filed a revised plan.

Comments, questions, and issues related to a revised

status of the staff evaluation and on whether an applicant has filed a revised plan. Comments, questions, and issues related to a revised plan can be submitted in writing or may be personally brought to the attention of the staff reviewer.

Residents and associations can and should submit written comments reflecting their issues and views on the original subdivision plan and all revised plans to:

M-NCPPC
Development Review Division
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

Making your views in writing known to the staff and Planning Board is a basic and essential way to effectively participate in the process.

The written comments received from residents and associations will be distributed to the Planning Board prior to the public hearing.

RELEVANT ISSUES

The basic issues and decisions in both phases of the subdivision process do not relate to whether a particular property can be developed. The subdivision process regulates the extent and timing of development because the land in question is already in the appropriate zoning classification.

Among the relevant issues that residents and associations can and should submit written comments are:

- ❑ the proposed subdivision's relationship to adjacent properties and the neighborhood
- ❑ whether existing and programmed public facilities are adequate to support and service the proposed subdivision (decisions on the adequacy of school capacity are made by the County Council, not by the Planning Board).

The environmental impacts of the proposed subdivision

- traffic impact, circulation, and access

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How to participate effectively in the subdivision process in Montgomery County, Maryland



M-NCPPC Department of Park and Planning
Montgomery County, Maryland

Office of the People's Counsel
Montgomery County, Maryland